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Application No. 10/821,342
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REMARKS

Applicants respectfully submit a petition for withdrawal of the above-identified application from issue after payment of the issue fee in consideration of the enclosed Request for Continued Examination and Amendment.

A Petition from Withdrawal From Issue Pursuant to 37 C.F.R. §1.313, Request for Continued Examination Pursuant to 37 C.F.R. §1.114, and required fees pursuant to §1.17(e) and (h), are submitted herewith.

Claims 1-7 were allowed in the Notice of Allowability of March 15, 2005, in which an examiner's amendment to claims 1 and 2 were made. In reviewing the claims, it was determined that amendments were necessary. Accordingly, this amendment amends claims 1 and 2. Particularly, in allowed claims 1 and 2, equation (1) " $\Delta n \leq 0.004 \times W + 0.0123$ " should read -- $\Delta n \leq -0.004 \times W + 0.0123$ --, where constant "a" is set to -0.004. According to the embodiment of the above-identified application, in the case of the nitride based semiconductor laser device 40, in order to set the kink level to 50 mW or more and also set the half-value width θ_{para} to 7.5° or more, the constant "a" in the equation (1) is set to -0.004.

The Applicants submit that the amendments to the specification do not introduce new matter to the disclosure of the application. Amendments to claims 1 and 2 find support throughout the specification as filed, including at page 20, lines 2-10.

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CONCLUSION

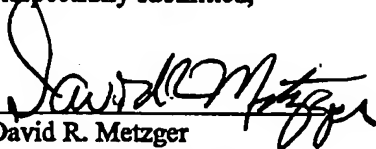
In view of the above amendments and remarks, Applicants submit that claims 1-7 are allowable and that the application is in condition for allowance. Note to that effect is requested.

The Commissioner is hereby authorized to charge any deficiency in required fee to Deposit Account No. 19-3140.

Respectfully submitted,

Dated: May 11, 2005

By: _____


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